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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/510,055

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Scott Allan Kendall

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EXAMINER

CHOWDHURY, NIGAR

ART UNIT

PAPER NUMBER

2621

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DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/510,055	<b>Applicant(s)</b> KENDALL, SCOTT ALLAN	
	<b>Examiner</b> Nigar Chowdhury	<b>Art Unit</b> 2621	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 April 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 October 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/11/2007 has been entered.

### ***Response to Arguments***

2. Applicant's arguments filed on 04/11/2007 have been fully considered but they are not persuasive.

3. In re page 7, applicant argues that the newly added limitations "one of replay and reverse functions", "one of skip and forward functions", and "different from the replay-reverse multipurpose remote control signal" in claim 1 are more particularly point out and distinctly claim the subject matter.

4. In response, examiner respectfully disagrees. The newly added limitation "one of replay and reverse functions" which implies multipurpose remote control has either replay or reverse functions. The newly added limitation "one of skip and forward functions" which implies multipurpose remote control has either skip or forward

Art Unit: 2621

functions. Claim limitation doesn't indicate replay-reverse and skip-forward are four distinct functions. And also newly added limitation "different from the replay-reverse multipurpose remote control signal" implies function of skip-forward and replay-reverse are different of each other. Examiner agrees with this limitation because different control key has different signal. When user presses any control key, remote control generates a signal. Different control key has different duration to recognize the specific signal of specific control key for operating properly. Therefore, multipurpose remote control meets the limitation of replay-reverse and skip-forward recited in claim 1.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claim 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,847,778 by Vallone et al.

7. In **claim 1**, a video playback apparatus (Col. 7 line 10-16) having means to invoke one of replay and reverse functions upon receipt of a replay-reverse

Art Unit: 2621

multipurpose remote control signal, depending on the duration of the replay-reverse multipurpose remote control signal, and means to invoke one of skip and forward functions upon receipt of a skip-forward multipurpose remote control signal different from the replay reverse multipurpose remote control signal, depending on the duration of the skip-forward multipurpose remote control signal (Fig. 9, Col. 10 line 4-19).

8. In **claim 2**, the video playback apparatus wherein the replay function is invoked upon receipt of the replay-reverse multipurpose remote control signal for a duration of time below a first replay-reverse predetermined threshold, and the reverse function with a first reverse speed is invoked upon receipt of the replay-reverse multipurpose remote control signal for a duration of time above the first replay-reverse predetermined threshold, and wherein the skip function is invoked upon receipt of the skip-forward multipurpose remote control signal for a duration of time below a first skip-forward predetermined threshold and a first forward function with a first forward speed is invoked upon receipt of the skip-forward multipurpose remote control signal for a duration of time above the first skip-forward predetermined threshold (Fig. 9, Col. 10 line 4-19, Col. 18 line 65-68, Col.20 line 32-47. According to the reference, duration can change by user. User will select the speed for reply or forward).

9. According to **claim 3**, the video playback apparatus wherein the first skip-forward predetermined threshold is one second and the first replay-reverse predetermined

Art Unit: 2621

threshold is one second (User can select the duration what they want. Col. 18 line 65-67).

10. Regarding **claim 4**, the video playback apparatus wherein the reverse function has the first reverse speed and a second reverse speed faster than the first reverse speed, and upon receipt of the replay-reverse multipurpose remote control signal for a duration of time greater than the first replay-reverse predetermined threshold, the first reverse speed is invoked, and upon receipt of the replay-reverse multipurpose remote control signal for greater than a second replay-reverse predetermined threshold, the second reverse speed is invoked (User can select the speed e.g. x, 2x, 3x etc. Here 2x is greater than the x and 3x is greater than 2x, x. Col. 18 line 65-67, Col. 10 line 17-19).

11. Forward **claim 5** is rejected for the same reason as discussed in the corresponding reverse claim 4 above (Col. 10 line 17-19).

12. In **claim 6**, the video playback apparatus wherein upon receipt of the skip-forward multipurpose remote control signal for greater than a next greater skip-forward predetermined threshold, the next faster forward speed is invoked, up to the highest available forward speed (Col. 20 line 40-47).

Art Unit: 2621

13. In **claim 7**, the video playback apparatus of claim 5 wherein the second forward predetermined threshold is at least one second greater than the first forward predetermined threshold (User can select the duration. Col. 18 line 65-67).

14. Reverse **claim 8** is rejected for the same reason as discussed in the corresponding forward claim 6 above.

15. **Claim 9** is rejected for the same reason as discussed in corresponding claim 7 above.

16. According to **claim 10**, the video playback apparatus of claim 1 having 2x, 4x, 8x, and 16x forward speeds and -2x, -4x, -8x, and -16x reverse speeds (Col. 18 line 60-67).

17. In **claim 11**, the video playback apparatus wherein duration of a remote control signal is calculated based on number of repetitions of code signal included in the remote control signal received, each repetition separated by a predetermined gap (User can change the duration by pressing the key button between 1-10 seconds).

18. In **claim 12**, the video playback apparatus of claim 11 wherein the predetermined gap is between 1 and 10 milliseconds (User can change the duration by pressing the key button between 1-10 seconds).

Art Unit: 2621

19. In **claim 13**, the video playback apparatus wherein an end of a remote control signal is calculated upon a gap between repetitions of receipt of a code signal of greater than 20 milliseconds in the remote control signal (User can change the duration by pressing the key button between 1-10 seconds).

20. According to **claim 14**, the video playback apparatus having one or more functionalities in addition to video playback, the functionalities selected from DSL, integrated receiver-decoder, WinTV, and personal computer (Col. 3 line 55, 56).

21. In **claim 15**, a remote control device for using with a video playback apparatus having a replay-reverse multipurpose key and a skip-forward multipurpose key for generating the replay-reverse and skip-forward multipurpose remote control signals, respectively, when activated (Col. 10 line 4-19).

22. In **claim 16**, the remote control device having means to send a multipurpose remote control signal when a multipurpose key is pressed (Col. 10 line 4-19).

23. **Claim 17** is rejected for the same reason as discussed in corresponding claim 11 above.

24. **Claim 18** is rejected for the same reason as discussed in corresponding claim 12 above.



25. **Claim 19** is rejected for the same reason as discussed in corresponding claim 12 above.

26. In **claim 20**, a system comprising a video playback apparatus and a remote control device having a replay-reverse multipurpose key for generating the replay-reverse multipurpose remote control signal and a skip-forward multipurpose key for generating the skip-forward multipurpose remote control signal (Col. 10 line 4-19).

27. In **claim 21**, a method of controlling the operation of a digital video playback apparatus, the method comprising the steps of (User can select any duration they want for skip/forward or reply/reverse. Col. 18 line 55-67):

- Invoking a skip function upon receipt of a remote control skip-forward signal for less than a first predetermined duration, invoking a forward function with a first forward speed upon receipt of the skip-forward remote control signal for greater than the first predetermined duration, invoking the forward function with a second, faster forward speed upon receipt of either the skip-forward remote control signal for greater than a second predetermined duration or upon receipt of a second skip-forward remote control signal
- Invoking a replay function upon receipt of a replay-reverse remote control signal for less than a first predetermined duration, invoking a reverse function with a first reverse speed upon receipt of the replay-reverse

remote control signal for greater than the first predetermined duration, invoking the reverse function with a second, faster reverse speed upon receipt of either the replay-reverse remote control signal for greater than a second predetermined duration or upon receipt of a second replay-remote control signal.

28. In **claim 22**, a electronic playback apparatus (Col. 7 line 10-16) capable of receiving an external speed control signal for controlling playback speed, the electronic playback apparatus comprising:

- A receiver for receiving the external speed control signal (Col. 13 line 39-53)
- A microprocessor for varying the playback speed according to duration of the external speed control signal (Col. 4 line 33-40, Col. 6 line 54-63).

29. Regarding **claim 23**, the electronic playback apparatus wherein the playback speed is forward speed (Col. 7 line 7-16).

30. In **claim 24**, the electronic playback apparatus wherein the playback speed is reverse speed (Col. 7 line 7-16).

31. According to **claim 25**, the electronic playback apparatus wherein the external speed control signal is a signal generated by holding down a key for a skip-forward function (Fig. 14, Col. 20 line 32-47).

32. In **claim 26**, the electronic playback apparatus of claim 22, wherein the external speed control signal is a signal generated by holding down a key for a play function (Fig. 14, Col. 20 line 32-47).

33. In **claim 27**, the electronic playback apparatus of claim 22, wherein the external speed control signal is a signal generated by holding down a key for a replay-reverse function (Fig. 14, Col. 20 line 32-47).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nigar Chowdhury whose telephone number is 571-272-8890. The examiner can normally be reached on 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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05/14/2007



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